At the Town Board Meeting of the Town Board of the Town of Liberty held at 7:00 p.m. at Town Hall, 120 North Main Street, Liberty, New York, the following Town Board Members were present:

Supervisor John Schmidt  
Councilperson Lynn Killian  
Councilperson Thomas Hasbrouck  
Councilperson Clarence Barber  
Councilperson Maurice Gerry

Recording Secretary: Town Clerk Laurie Dutcher

Also present:

Town Attorney Kenneth Klein  
Finance Director Earl Bertsch  
Water & Sewer Foreman Albert Picard  
Code Enforcement Officer Mark VanEtten  
Senior Account Clerk Cheryl Gerow  
Deputy Town Clerk Sara Sprague

After the Pledge of Allegiance, Supervisor Schmidt called the meeting to order at 7:00 p.m.

PUBLIC PARTICIPATION

Glen Gidaly - Barton & Loguidice

Glenn Gidaly, Senior Project Manager of Barton & Loguidice offered a proposal for special project services related to the development of a pre-application package for affordable financing to improve the Swan Lake Waste Water Treatment Plant, through the USDA Rural Development Agency.

RESOLUTION NO. -09

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT W/ BARTON & LOGUIDICE

Motion by Councilperson Lynn Killian, seconded by Councilperson Thomas Hasbrouck, the Town Board authorized the Supervisor to sign the following agreement and to authorize payment to Barton and Loguidice in the amount of $4,500 for there services:
5 AYES - Carried

**Matthew Palmer - Delaney Group**

Matthew Palmer of the Delaney Group advised the Board that they would not be continuing with their night time operations even though the noise levels were within range. He advised that they may have double shifts next year. Mr. Palmer also advised that they had a lease agreement with Ray Kelly and they were working on the “haul” road. He also advised that they would clean up O’Keefe Hill Rd. the ditches, etc.

Mr. Palmer advised that they would be doing Bridge work until the 1st or 2nd week of December weather permitting and the blasting would continue into the middle of January also weather permitting. They will shut down when the weather restricts work.

**Joan Stoddard**

Mrs. Stoddard asked the Board when the West Liberty Street bridge was going to be replaced. She advised that there are potholes, gaps in the cement and that it was very dangerous.

Supervisor Schmidt advised that the Highway Dept. was still trying to play catch up with the flood damage and then they would be replacing it.

**Jodi Goodman**

Mrs. Goodman advised the Board that Heinrich Strauch held a workshop on 11/13 from 12 – 4 and that it was exceptional and a lot of ideas came out of it. Mrs. Goodman also advised that we need Heinrich because he can work on economic development full time. Mrs. Goodman also advised that the DPW cut of $81,000 included a $50,000 capital reserve item and couldn’t really be included in the total number.

Alan Goodman

Mr. Goodman read aloud the following letter from Cindy Fracasse of the Liberty Fitness Center:

“To Whom It May Concern:
Re: This letter is in support of the CDC

In these hard economic times, it is us the people of Liberty who all have faith in our economic future. Liberty fitness center urges all to stand united and support our only economic development agency. The CDC. Once we become divided it is then we will fall. The CDC has brought senior housing, boys & girls clubs, talent fest, movie night, our welcome to Liberty signage and has helped in the rebirth of the Liberty Chamber of Commerce. Now is not the time to cut grants, we all need to ride the economic roller coaster together as one. Please keep our developmental anchor intact, keep the CDC and Heinrich Strauch.”
Sincerely,
Cynthia Fracasse, Ronald Fracasse, Ashley Arias, Joseph Arias, Taylor Fracasse and RJ Fracasse
Main Street Business Owner with Belief

Timothy and Carol Kelly - Cold Spring Water

Mr. and Mrs. Kelly advised the Board that their water was unfit to drink or cook with and was very unhealthy. They brought in 3 samples of water that were very brown in color. They advised that they had dealt with this situation long enough and that they were looking for a solution. They advised that they were in the Town of Liberty Cold Spring Water District but were supplied with water from the Village of Liberty.

Mr. & Mrs. Kelly advised that the Water Dept. was very cooperative and does anything they can to help but that they need a solution. Mrs. Kelly suggested that the Board contact Aileen Gunther and see if any grants are available.

Attorney Kenneth Klein advised the Board that they may need to enlist a specialist for professional advice on a solution for the Kelly's problem.

Supervisor Schmidt advised Mr. & Mrs. Kelly that he will contact them in a couple of weeks.

CORRESPONDENCE

1. An e-mail from Heinrich Strauch regarding stimulus spending by County.
2. A letter from County Manager, David Fanslau, regarding the proposed Solid Waste User Fee.
3. Copies of CDC: financials, agenda and minutes
4. A letter from Michael Taylor of Combined Energy Services regarding the Planned County Jail.
5. A copy of the Watershed Advocate

RESOLUTION NO. -09

APPROVAL OF AUDIT

Motion by Councilperson Lynn Killian, seconded by Councilperson Clarence Barber, the Town Board approved the following:

- Novemberr, 2009 Abstract:
  Claims #2169 to #2359 totaling $656,049.46

- Post October, 2009 Abstract:
  Claims #2157 to #2168 totaling $94,196.32

5 AYES - Carried
RESOLUTION NO. -09

APPROVAL OF MINUTES

Motion by Councilperson Lynn Killian, seconded by Councilperson Clarence Barber, the Town Board approved the following minutes as submitted:

- 10/19/2009    Regular Monthly Mtg.

5 AYES - Carried

RESOLUTION NO. -09

APPROVAL OF MONTHLY REPORTS

Motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Lynn Killian, the Town Board approved the following reports as submitted:

- Town Clerk’s 10/2009 Monthly Report
- Monthly Town Board Report of Revenue & Expense Summary as of 10/31/2009
- Supervisor’s Report for 9/2009

5 AYES - Carried

OLD BUSINESS:

1. Consolidation of Water Districts CARRYOVER
2. Air Quality Report CARRYOVER
3. Workplace Violence CARRYOVER
4. Easements for Swan Lake sidewalks CARRYOVER
   (easements are done Terry Kelly doing layout for lighting)
5. Replacement of waterline on Old Monticello Rd. CARRYOVER
   (Terry Kelly doing survey work put out to bid in Spring)
6. Melton Subdivision CARRYOVER

RESOLUTION NO. -09

2009 TOWN OF BETHEL WATER AND SEWER RENTS

Motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Lynn Killian, the Town Board of the Town of Liberty adopted the following resolution:

RESOLVED: that the Town Board of the Town of Liberty does hereby authorize the Supervisor of the Town of Liberty to transmit to the Supervisor of the Town of Bethel for presentation to the Sullivan County Legislature the following lists of properties against which there are past due water rents totaling $1,562.07 owed to the Stevensville Water District on November 1, 2009 and against which there are past due sewer rents totaling $1,835.58 owed to the Swan Lake/Briscoe Road Consolidated Sewer District on
Regular Monthly Meeting  
11/16/2009 continued........

November 1, 2009 and to request that said Board levy as re-levied water and sewer rents the sum specified against the property identified by section, block and lot number receding the amount of arrears on the 2010 Tax Roll of the Town of Bethel.

5 AYES - Carried

**RESOLUTION NO. -09**

2009 TOWN OF LIBERTY RE-LEVIED WATER AND SEWER RENTS

Motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Lynn Killian, the Town Board of the Town of Liberty adopted the following resolution:

RESOLVED: that the Town Board of the Town of Liberty does hereby authorize the Supervisor of the Town of Liberty to transmit for presentation to the Sullivan County Legislature the following lists of properties against which there are past due water and sewer rents on November 1, 2009 owed to the water and sewer districts specified and to request said Board to levy as re-levied water and sewer rents the sum specified against property identified by the self-check digit, and section, block and lot number preceding the amount of arrears on the 2010 Tax Roll or the Town of Liberty and are summarized as follows:

- Loomis Water District $ 617.30
- Loomis Sewer District $ 881.25
- Ferndale Water District $ 8,755.48
- Stevensville Water District $30,159.29
- WSS Water District $ 7,925.10
- Indian Lake Water District $ 1,118.99
- Cold Spring Water District $ 577.87
- Youngs Hill Sewer District $ 608.73
- Rt. 55 Water District $14,581.95

5 AYES - Carried

**RESOLUTION NO. -09**

JUNKYARD LICENSE FOR IRONIC, LLC SBL# 42.-1-17.2 TABLED

Motion by Councilperson Lynn Killian, seconded by Councilperson Thomas Hasbrouck, the Town Board of the Town of Liberty tabled this matter until the 12/7 mtg.

5 AYES- Carried

**RESOLUTION NO. -09**

GEO AND I LLC STEAKHOUSE GRANTED 30 DAY WAIVER FOR ON-PREMISES LIQUOR LICENSE RENEWAL
Motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Clarence Barber, Councilperson Lynn Killian abstaining, the Town Board of the Town of Liberty does hereby have no objection to an On-premises Alcoholic Beverage License renewal being granted to GEO and I LLC Steakhouse, located at 2514 State Route 52, Liberty, New York and do hereby grant the 30 day waiver.

4 AYES - Carried
1 Abstension – Councilperson Killian

WSS WATER SMALL CITIES GRANT
Carried over to 12/7 mtg.

RESOLUTION NO. -09

APPROVAL TO ACCEPT LOW BID FOR CLEANING SERVICES

Motion by Councilperson Lynn Killian, seconded by Councilperson Thomas Hasbrouck, the Town Board of the Town of Liberty does accept the low bid submitted by VanKeuren’s Cleaning Service as follows:

- Price to clean Town Hall $250 per week
- Price to clean Parks & Rec $210 per week
- Price to clean Highway Facility $110 per week

5 AYES - Carried

SNOW REMOVAL
Carried over

RESOLUTION NO. -09

ADOPTION OF THE 2010 PRELIMINARY BUDGET

Motion by Councilperson Clarence Barber, seconded by Councilperson Thomas Hasbrouck, the Town Board of the Town of Liberty adopted the 2010 Preliminary Budget as presented.

Councilperson Barber AYE
Councilperson Hasbrouck AYE
Supervisor Schmidt AYE

Councilperson Killian NAY
Councilperson Gerry NAY

3 AYES Carried
Regular Monthly Meeting
11/16/2009 continued........

On a motion by Councilperson Clarence Barber, seconded by Thomas Hasbrouck the Town Board adjourned the meeting at 8:20 p.m.

Respectfully submitted,

Laurie Dutcher, Town Clerk